

### **REMARKS**

Claims 1-34 are pending in this application. Claim 1, 22, 28 and 29 are independent. In light of the remarks made herein, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejections.

In the outstanding Official Action, the Examiner rejected claims 1, 22, 28, 29 and 31-34 under 35 U.S.C. §103(a) as being unpatentable over Sobeski et al. (USP 6,819,343) in view of Wassom et al. (U.S. Patent Application Publication No. 2002/0057298) and further in view of Takemoto (USP 6,335,742); rejected claim 2 under 35 U.S.C. §103(a) as being unpatentable over Sobeski et al. in view of Wassom et al. and Takemoto and further in view of Reha et al. (USP 6,282,709); rejected claims 11, 17, 21, 23 and 25-27 under 35 U.S.C. §103(a) as being unpatentable over Sobeski et al. in view of Wassom et al., Takemoto and Reha et al. and further in view of Shima et al. (USP 6,295,479); rejected claim 3 under 35 U.S.C. §103(a) as being unpatentable over Sobeski et al. in view of Wassom et al. and Takemoto and further in view of Manolis et al. (USP 6,583,799); rejected claim 14 under 35 U.S.C. §103(a) as being unpatentable over Sobeski et al. in view of Wassom et al., Takemoto, Reha et al., and Shima et al. and further in view of Brennan et al. (U.S. Patent Application Publication No. 2002/0077829) and Manolis et al.; rejected claim 18 under 35 U.S.C. §103(a) as being unpatentable over Sobeski et al. in view of Wassom et al., Reha et al., Shima et al., Takemoto and further in view of Manolis et al.; rejected claims 4, 5, 6, 9, 10 and 24 under 35 U.S.C. §103(a) as being unpatentable over Sobeski et al. in view of Wassom et al., Takemoto and Brennan et al.; rejected claim 7 under 35 U.S.C. §103(a) as being unpatentable over Sobeski et al. in view of Wassom et al., Takemoto and Brennan et al., and further in view of Reha et al.; and rejected claims 12, 13, 15, 16, 19 and 20 under 35 U.S.C. §103(a) as being unpatentable over Sobeski et al. in view of Wassom et al., Reha et al., Takemoto, Shima et al., and further in view of Brennan et al. Applicant respectfully traverses these rejections.

### **Examiner Interview**

Applicant wishes to thank the Examiner for the Interview conducted on October 7, 2008. During the Interview, the parties agreed that the combination of the teachings of the cited art fails to teach or suggest all of the elements of claim 1, including “wherein a selected at least one image from the plurality of images in the image list display section is uploaded to a server associated with a selected menu button for performing the service associated with the selected menu button.” This element is similarly recited in all of the independent claims.

As discussed in the Interview, claim 1 requires a plurality of menu buttons, each of the menu buttons having associated therewith a server and service. A selected image is uploaded to the server that is associated with the selected menu button. The service that is associated with the selected menu button is performed on the selected, uploaded image.

However, none of the cited references, either alone or in combination, teach or suggest this claim element.

Based on the agreement made during the Interview, Applicant appreciates the Examiner withdrawing the outstanding rejections and updating his search.

In view of the above remarks, Applicant believes the pending application is in condition for allowance.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Catherine M. Voisinet Reg. No. 52,327 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

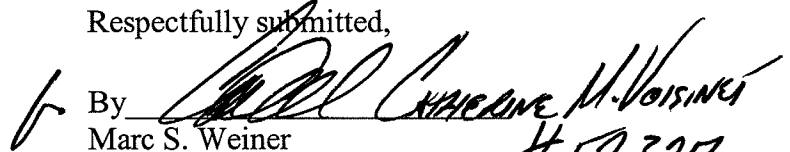
Application No. 10/046,175  
Amendment dated October 9, 2008  
After Final Office Action of July 11, 2008

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If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.147; particularly, extension of time fees.

Dated: October 9, 2008

Respectfully submitted,

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